IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1041 OF 2007

Boman Khushru Irani and anr. ..Petitioners
Vs.
Mohanlal Thakurdas Kapur and ors. ..Respondents

Ms. Mamta Sadu with Prashant Kulkarni i/by Zohiar and Co. for petitioners.

CORAM: B.H. MARLAPALLE, J.

Date : March 29, 2007.

P.C.:

. Section 34(4) of the Maharashtra Rent Control Act, 1999 clearly provides for a remedy of Civil Revision Application against an order in any suit which cannot be challenged in an appeal and, therefore, against the impugned order passed in Interim Notice No. 1523 of 2006, the petitioners have the remedy of filing a revision application before the Appellate Bench of the Small Causes Court at Mumbai and the scheme of Section 34(4) is not comparable with the scheme of Section 115 of C.P.C.

. The petition is, therefore, disposed with liberty to approach the Lower Appellate Court with a revision application.

(B.H. Marlapalle,J.)